

Application Serial No.: 10/673,941
Amendment and Response to November 28, 2007 Non-Final Office Action

REMARKS

Claims 1 – 24 are in the application. Claims 1, 14, 18, 23, and 24 are currently amended; claims 19 – 22 were previously presented; and claims 2 – 13 and 15 – 17 remain unchanged from the original versions thereof. Claims 1, 18, 23, and 24 are the independent claims herein.

No new matter has been added to the application as a result of the amendments submitted herewith. For example, claims 1, 18, 23, and 24 are amended to clarify that the format of the outgoing message is different than the format of the message indicated in the data received from the application. Support for these amendments is provided in the application at paragraphs [0026] and [0027].

Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 103

Claims 1, 12, 13, 15, 16, and 23 – 24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Farrar et al., U.S. Patent No. 6,122,671 A (hereinafter, Farrar) in view of Brown et al., U.S. Publication No. 2002/0078158 A1 (hereinafter, Brown). This rejection is traversed.

Applicant notes that claim 1 relates to a method including receiving data from an application, the data being indicative of a message, a destination address, and an outgoing message type; converting the message to an outgoing message in a format compatible with the outgoing message type, the outgoing message format being a different format than the message; and sending the outgoing message to the destination address. Thus, it is clear that the claimed data received is indicative of a message and the claimed outgoing message format being a different format than the message. Claims 18, 23, and 24 are worded similar to claim 1 regarding the rejection under 35 USC 103(a).

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The Office cites and relies upon Farrar and Brown for disclosing all aspects of claim 1. In particular, the Office Action cites and relies upon Brown for allegedly disclosing the receiving data indicative of an outgoing message type or a destination address. The Office Action particularly cites Brown's disclosure of an email messaging method for enhanced rich media email.

Applicant notes that unlike the claimed invention wherein the claimed received data is indicative of a message and the claimed outgoing message format is a different format than the message, the Brown disclosed method and system specifically provides an email message that is augmented with rich media content to provide an email message including rich media content. As disclosed, Brown operates on or with an email system to add rich media content to an email to produce an email that may be received by any type of email client application. Applicant notes that Brown discloses,

[0068] Today, most e-mail is sent from standard multi-user e-mail messaging systems owned and operated by organizations of various sizes, most frequently for purposes related to the objectives of these organizations. In fact, e-mail messages are often the most voluminous and frequent form of contact that many organizations have with the outside world. It is desirable for organizations that operate e-mail systems to leverage this contact medium by enhancing text-based e-mail messages with rich media content to deliver branding, information, solicitations, opportunities for interaction and other content in the population of e-mail messages traveling from their systems. In the context of the present patent application, enhancing is understood to be the performance of any type of modification to an e-mail message for adding rich media content to the e-mail message. These modifications include, but are not limited to, adding or altering any of the following elements: text content, header data, formatting, graphics, security features, attachments, or computer code designed to perform alterations.

[0069] To practically incorporate rich media in e-mail messages sent by their users, e-mail system operators should provide centralized capabilities for the creation, administration, and incorporation of rich media content in the population of messages sent from the system. Additional desirable capabilities include a process to generate rich media e-mail messages that are light weight, secure and viewable by every existing e-mail client application, a means of differentiating between internal (to the network) and outbound (from the network) messages in the administration of rich media content, an ability to measure and track

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activity generated by the delivery of rich media content, an efficient system for hosting and serving rich media content elements, and tools to support effective design for various recipient viewing platforms.

[0072] Accordingly, the present invention also recognizes the need for a method and system for the centralized generation, administration and delivery of rich media e-mail from standard multi-user e-mail messaging systems that produces and delivers lightweight e-mail messages that flawlessly combine sender-generated messages with centrally specified rich media content in a format in which the resulting messages can be efficiently received and viewed by any recipient operating any type of e-mail client application.

[0074] In addition to the forgoing recognitions, Applicants note that it would be desirable to provide a method and system for centralized users to electronically create, modify and delete rich media content elements and templates for e-mail messages and administrate their application on, and/or availability to, populations of e-mail messages traveling from an individual e-mail messaging system.

[0081] In general, e-mail client 314 generates an outbound e-mail message, including user-specified template selection criteria, and forwards the outbound e-mail message to mail server 16. Mail server 16 then directs the outbound e-mail message to routing application 322. Routing application 322 modifies and annotates or tags the original message to indicate the type of rich media desired for addition to the outbound e-mail message prior to transmission to the originally intended recipient. This tagged or annotated message is then forwarded via Internet 18 to processing application 330. Processing application 330 interprets the tags and annotations in the outbound e-mail message to generate rich media e-mail 334 including to the original text in the outbound e-mail message enhanced with desired rich media content. The newly generated, rich media e-mail 334 is then directed via Internet 18 to recipient 342, which is the original, intended recipient. (emphasis added)

Thus, it is clear that Brown discloses an outbound *email message* from a standard email server and an *email message* including rich media content delivered to the recipient of the initial outbound message. Both the initial outbound email message and the delivered email message are of the same format, i.e., email messages. This aspect of Brown is made clear by the fact that the Brown email messages can be received by any email client application. (See Brown, paragraph [0072]) Applicant

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submits that Brown fails to disclose the claimed data indicative of an outgoing message type since the initial message and final message are both email messages.

Accordingly, there is no need, reason, or motivation for Brown to receive data indicative of an outgoing message type since both the initial message and final resultant message are both email messages. Furthermore, Brown does not disclose the claimed data indicative of an outgoing message type.

Applicant further submits that the combination of Farrar and Brown does not correct or overcome the shortcomings of Brown as cited and relied upon by the Office.

Applicant further submits that Farrar and Brown fail to disclose or suggest the claimed outgoing message format being a different format than the message. Again, both the initial message and final resultant messages of Brown are both email messages.

Therefore, it is clear that Farrar and Brown do not render claims 1, 23, and 24 obvious under 35 USC 103(a). Applicant submits that claims 12, 13, 15, and 16 depend from claim 1 and are patentable over Farrar and Brown for at least depending from an allowable base claim. Accordingly, Applicant requests the reconsideration and withdrawal of the rejection of claims 1, 12, 13, 15, 16, 23, and 24 under 35 USC 103(a).

Claims 2 – 11 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Farrar et al. in view of Brown et al. and in further view of Baum et al. U.S. Patent No. 6,993,026 B1 (hereinafter, Baum). This rejection is traversed.

Inasmuch as the rejection of claims 2 – 11 and 17 depend on the disclosure of Farrar and Brown as applied to claim 1 above and the disclosure of Farrar and Brown was proven insufficient under 35 USC 103(a) by Applicant hereinabove, it is respectfully submitted that the alleged combination of Farrar, Brown and Baum is insufficient to support the rejection of claims 2 – 11 and 17 under 35 USC 103(a). Furthermore, the disclosure of Baum combined with Farrar and Brown does not overcome the failings/shortcomings of Farrar and Brown.

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Accordingly, Applicant requests the reconsideration and withdrawal of the rejection of claims 2 – 11 and 17 under 35 USC 103(a).

Claims 18 – 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Farrar et al. in view of Baum et al. This rejection is traversed.

Inasmuch as claim 18 is worded similar, in part, to claims 1, 23, and 24 (i.e., said outgoing message format being a different format than said first message), Applicant submits that neither Farrar nor Baum discloses at least this aspect of claim 18.

Accordingly, Applicant requests the reconsideration and withdrawal of the rejection of claims 18 - 22 under 35 USC 103(a).

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Farrar et al. in view of Brown et al. and in further view of Oz et al. U.S. Patent No. 7,058,087 B1. This rejection is traversed.

Inasmuch as the rejection of claim 14 depends on the disclosure of Farrar and Brown as applied to claim 1 above and the disclosure of Farrar and Brown was proven insufficient under 35 USC 103(a) by Applicant hereinabove, it is respectfully submitted that the alleged combination of Farrar, Brown and Oz is insufficient to support the rejection of claim 14 under 35 USC 103(a). Furthermore, the disclosure of Oz combined with Farrar and Brown does not overcome the failings/shortcomings of Farrar and Brown.

Accordingly, Applicant requests the reconsideration and withdrawal of the rejection of claim 14 under 35 USC 103(a).

CONCLUSION

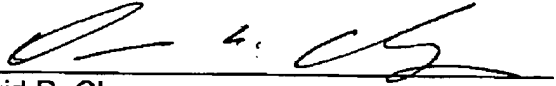
Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting

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allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (408) 492-5336.

Respectfully submitted,

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